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EXAMINER

LIN, KELVIN Y

ART UNIT PAPER NUMBER

2142

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/960,339

Applicant(s)

INOUE, ATSUSHI

Examiner

Kelvin Lin

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Response to Arguments

1. The Applicant's arguments with respect to claims 1-36 have been considered but are not persuasive. Examiner appreciates detail description of prior art. Regarding claims 1, 18, 25, and 33-36, applicant argues that "Sampson fails to teach to configure to carry out communications with client systems of electronic service users".

The Office disagrees. Sampson discloses that the configuration to communicate with client (users) is carrying out by the Registry Server, which links to a Registry Repository that stores user information. Registry Server also links to a secure communication link to manage multiple users via Authentication Server Module and access to Registry Repository (Sampson, col.7, l.25-31). In addition, the Registry Server is configured into a mirrored or replicated configuration, which corresponds to the original page and tie-up pages (Sampson, col.5, l.62-67).

2. Applicant argues that Sampson fails to teach the update or maintenance of the "tie-up pages".

The Office disagrees. First of all, Applicant applies his/her own lexicographer to specifically define a term "tie-up pages" of a claim, contrary to its ordinary meaning. Examiner, as best understood, the definition of the "tie-up pages" from written description of pages is updated or maintenance of HTML pages.

Therefore, Applicant argument with regard to "tie-up pages" is not persuasive. Examiner has maintained the rejection.

Sampson discloses the Registry Server contains an Authentication Server Module and a Registry Repository. The Authentication Server Module is structured as a Java server contains the one or more HTML pages (Sampson, col.8, l.5-12). Furthermore, the Registry Server is configured into a mirrored or replicated configuration, therefore, the HTML pages also configured as a mirrored or replicated pages which corresponds to the tie-up pages (Sampson, col.5, l.62-67).

Response to Amended Claims

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-7, 12-14, 17-29, and 31-36 are rejected under 35 USC 102(e) as being anticipated by Sampson et al., (US Patent 6490624).
2. Regarding claim 1, Sampson teaches an electronic service system, comprising:

- a first server system, configured to carry out communications with client systems of electronic service users, and to provide electronic services as a main site (Sampson, col.3, I.10-11, col.7, I.25-31); and
- a second server system, configured to carry out communications with the first server system and the client systems, and to provide the electronic services as a partner site of the main site (Sampson, Fig.1, col.3, I.11-12);
the first server system having:
 - a first server authentication processing unit configured to carry out authentication with the second server system (Sampson, col.3, I.58-62), and
 - an updating unit configured to carry out a remote updating of contents of tie-up pages at the second server system, at a prescribed timing when the authentication succeeds (Sampson, col.12, I.25-30),
and the second server system having:
 - a second server authentication processing unit configured to carry out authentication with the first server system, at a time of receiving the remote updating (Sampson, col.9, I.10-13, I.27-34, col.12, I.1-6);
 - a tie-up page unit configured to maintain the tie-up pages related to a partnership between the main site and the partner site

(Sampson, col.8, l.5-12, col.16, l.41-43); and

- an original page unit configured to maintain original pages of the partner site (Sampson , col.9, l.27-34, l.52-59).

3. Regarding claim 2, Sampson further discloses the electronic service system of claim 1, wherein the updating unit carries out the remote updating in forms of data overwriting updates or link updates (Sampson, col. 12, l.4-6, col.13, l.56-67, col.14, l.1-4)

4. Regarding claim 3, Sampson further discloses the electronic service system of claim 1, wherein

- the first server system transmits a content confirmation message for urging a site manager of the second server system to carry out a content confirmation before carrying out the remote updating (Sampson, col.13, l.1-4);
the second server system
- presents a message configure to urge the site manager to carry out the content confirmation upon receiving the content confirmation message, and returns an affirmative message indicating an affirmation by the site manager when an input indicating the affirmation is entered from the site manager (Sampson, col.13, l.6-17); and
- the updating unit of the first server system carries out the remote updating upon receiving the affirmative message (Sampson, col.13,

I.29-39).

5. Regarding claim 4, Sampson further discloses the electronic service system of claim 1, wherein The electronic service system of claim 1, wherein the second server system also has a log recording unit configured to record a first log information generated in relation to accesses from the client systems to the tie-up pages, and a second log information generated in relation to accesses from the client systems to the original pages (Sampson, col.7, I.11-22).
6. Regarding claim 5, Sampson further discloses the electronic service system of claim 4, wherein the first server system also has a management unit configured to acquire all or a part of the first log information and the second log information recorded by the second server system or receive a notification of said all or a part of the first log information and the second log information from the second server system at a prescribed timing, and carry out a prescribed management for the first server system and the second server system according to said all or a part of the first log information and the second log information (Sampson, Fig.4, col.9, I.60-67).
7. Regarding claim 6, Sampson further discloses the electronic service system of claim 5, wherein the management unit carries out the prescribed management regarding users of the second server system (Sampson, col.10, I. 3-4)
8. Regarding claim 7, Sampson further discloses the electronic service system of claim 5, wherein the management unit carries out the prescribed management

which is a security management with respect to the second server system
(Sampson, col.11, l.29-32)

9. Regarding claim 12, Sampson further discloses the electronic service system of claim 8, wherein the second server system generates a certificate for certifying that said all or a part of the first log information and the second log information are not altered, and attaches the certificate to said all or a part of the first log information and the second log information, and the first server system verifies that said all of a part of the first log information and the second log information are not altered according to the certificate attached to said all or a part of the first log information and the second log information (Sampson, col.7, l.46-60, col.13, l.19-23, l.40-45)
10. Regarding claim 13, Sampson further discloses the electronic service system of claim 1, wherein the second server system notifies a request made with respect to the tie-up pages immediately to the first server system, and the second server system processes the request notified from the second server system
(Sampson, col.14, l.25-36).
11. Regarding claim 14, Sampson further discloses the electronic service system of the electronic service system of claim 1, wherein the second server system notifies a request made with respect to the tie-up pages immediately to the first server system, the second server system notifies a command with respect to the request notified from the second server system, to the second server device; and the second server system processes the request according to the

command notified from the first server system (Sampson, col.14, l.37-50).

12. Regarding claim 17, Sampson further discloses the electronic service system of claim 1, wherein the first server system gives information necessary for the second server system to construct the original contents, to the second server system upon making the partnership (Sampson, col.12, l.20-31, col. 14, l.44-50).
13. Regarding claims 18-24 have similar limitations as claims 1, 4-5, and 15-16. Therefore, claims 18-24 are rejected for the same reasons set forth in the rejection of claims 1, 4-5, and 15-16.
14. Regarding claims 25-29, and 31-32 have similar limitations as claims 1, 3, 5-7, and 15-16. Therefore, claims 25-29, and 31-32 are rejected for the same reasons set forth in the rejection of claims 1, 3, 5-7, and 15-16.
15. Regarding claim 33 has similar ambiguity as claim 1. Therefore, claim 33 is rejected for the same reasons set forth in the rejection of claim 1.
16. Regarding claim 34 has similar ambiguity as claim 1. Therefore, claim 34 is rejected for the same reasons set forth in the rejection of claim 1.
17. Regarding claim 35 has similar ambiguity as claim 1. Therefore, claim 35 is rejected for the same reasons set forth in the rejection of claim 1.
18. Regarding claim 36 has similar ambiguity as claim 1. Therefore, claim 36 is rejected for the same reasons set forth in the rejection of claim 1.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 8-11, 15-16, and 30 are rejected under 35 U.S.C 103(a) as being unpatentable over Sampson in view of Ferguson et al., (US Patent 5819092).
20. Regarding claims 8, 10-11, Sampson differs from the claimed invention in that it does not explicitly indicate the step of constructing the business component such as: partnership handling fee, discount for the second server system accesses over a prescribed number, and extra handling fee. However, Ferguson clearly teaches that under e-commerce environment, the fee structure for the online service can handle fees levied against both users and third party content providers. For example, a user can be levied fees for logging onto an online service, performing searches, or downloading information. Third party content providers can be levied fees for submitting advertisements or for executing a transaction with a user (Ferguson, col.4, l.53-60). Furthermore, Ferguson teaches the end users can submit new classified advertisement listings of their own. The online service can charge a fee for submitting a new classified advertisement, which means a extra fee for new classified advertisement (Ferguson, col.14, l.28-31). Ferguson further discloses the Levying a variable fee on a user for accessing information, depending on the amount of information that particular user has accessed in the past. Thus, a quantity

discount can be offered to users that frequently access a particular online service (Ferguson, col.30, l.31-35).

21. Regarding claims 9, Sampson differs from the claimed invention in that it does not explicitly indicate the step of calculating the business fee. However, Ferguson clearly teaches that under e-commerce environment, the fee computation supports the provider access (size, count), and user access (size, count), and server load (Ferguson, col.36, 15-67, col.37, l.1-42). Therefore, Ferguson's fee specifier teaches the computation of the ratio of the first log and the second log information.
22. Regarding claim 15, and 16, Sampson differs from the claimed invention in that it does not explicitly indicate the inheritance of content and/or framework of the first server tie-up page. However, Ferguson teaches that under e-commerce environment, the Online Designer makes a distinction between the "framework", the "structure" and the "content" of an online service. The "framework" is the architected online services platform (Ferguson, col.16, l.5-7). Ferguson teaches replication of online service content: The service's content and structure can be replicated to other online services on-demand or on an automatic, regularly scheduled basis (Ferguson, col.12, l.10-13). Furthermore, Ferguson building an electronic service store: Allows a user to download entire online services (the structure and/or content), usually for a fee (Ferguson, col.12, l.48-55).
23. Regarding claim 16 has similar ambiguity as claim 15.

Therefore, claim 16 is rejected for the same reasons set forth in the rejection of claim 15.

24. Therefore, combine with Sampson's session manager for clients and servers to enable a client to interact with a plurality of servers and adopting Ferguson's on line (E-commerce) accessible fee structure provides the ability to set fees to be paid by the user for an amount of data accessed, the time spent logged on to the service would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sampson's session manager with Ferguson's fee setting capability to support commercial online service.
25. Regarding claim 30 has similar ambiguity as claim 8.
Therefore, claim 30 is rejected for the same reasons set forth in the rejection of claim 8.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the

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shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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08/03/05


KAMINI SHAH
PRIMARY EXAMINER